

Navigation Committee

Minutes of the meeting held on 26 February 2015

Please note these draft minutes will be reviewed by the Navigation Committee at its next meeting on 23 April 2015 and may be subject to amendments prior to being confirmed

Present:

Mr D A Broad (Chairman)

Mr K Allen	Mr A Goodchild	Mr P Ollier
Miss S Blane	Mr P Greasley	Mr M Whitaker
Sir P Dixon	Mr M Heron	
Mr P Durrant	Mr J Knight	

In Attendance:

Mr S Birtles – Head of Safety Management
Mr A Clarke – Senior Waterways & Recreation Officer
Ms E Guds – Administrative Officer (Governance)
Mr P Ionta – Solicitor & Monitoring Officer
Ms E Krelle – Head of Finance
Ms A Leeper – Asset Officer
Ms A Long – Director of Planning and Resources
Mr J Organ – Head of Governance and Executive Assistant
Dr J Packman – Chief Executive
Mr R Rogers – Head of Construction, Maintenance and Environment
Mrs T Wakelin – Director of Operations

Also Present:

Prof J Burgess – Vice-Chairman of the Authority
Mr R Card – Norfolk & Suffolk Boating Association
Ms H Edwards – Insight Track
Dr S Johnson – Chairman of the Authority
Mr K Marsh – Broadland Environmental Services Limited
Mr R Sanderson - Environment Agency

4/1 To receive apologies for absence and welcome

The Chairman welcomed Dr Johnson and Prof Burgess to the meeting and also those candidates who had been recommended by the Selection Panel as prospective appointees to the Navigation Committee, who were present as members of the public and were asked to introduce themselves.

Apologies for absence were received from Lana Hempsall.

4/2 To note whether any items have been proposed as matters of urgent business/ Variation in order of items on the agenda

No items had been proposed as matters of urgent business

4/3 To receive Declarations of Interest

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

4/4 Public Question Time

There were no public questions.

4/5 To Receive and Confirm the Minutes of the Meetings Held on 11 December 2014

The minutes of the meeting held on 11 December 2014 were confirmed as a correct record and signed by the Chairman.

4/6 Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings

Members received a report summarising the progress of issues that had recently been presented to the Committee.

In response to a question by a member concerning negotiations over 24hr moorings at Thurne Mouth and Boundary Farm, the Chief Executive said that he was hopeful that an agreement would be reached which would allow the moorings to be retained with access to the shore.

Members were updated that a meeting regarding External Funding Opportunities had taken place and that a full report including suggested ideas would be brought back to the Authority.

A member said he wanted it noted that in *Minutes 3/12 Planning Application with Navigation Implications: Development to Facilitate Canoe Access on Pound End Broad and Hoveton Marshes* of 11 Dec 2014 the planning application was not in relation to public access but was an application for a canoe trail.

Members welcomed and noted the report.

4/7 Consultation on the appointments to the Navigation Committee and Broads Authority

In accordance with the provisions in the Norfolk and Suffolk Broads Act 1988 members were informed that their views were sought on the recommended appointments to the Navigation Committee made by the Selection Panel following the interviews held in January 2015. The Committee's recommendation for two Co-opted members to be appointed to the Authority and the term for such future appointments was also sought.

Members were made aware that a Selection Panel comprising John Edmonds as the independent chair, the Chairman of the Broads Authority, and representatives from the Norfolk & Suffolk Boating Association, and the British Marine Federation had agreed unanimously to recommend eight candidates to be appointed to the Navigation Committee.

Comments had been received from the consultative bodies, including comments from the Passenger Boat Association that had not been included in the report. Some of these comments expressed concerns about Category D, where the Selection Panel had recommended the appointment of candidates who had not been nominated and did not have a commercial background.

It was made clear that there was no requirement for the Selection Panel to only recommend candidates who had been nominated and clarification was provided by the Solicitor and Monitoring Officer that all toll payers came under the Category D status and therefore the process was considered to be legally sound.

A member challenged the view that 'all toll payers came under the Category D status' on the basis that, if this is what Parliament had intended, then that is what it would have said. The member considered that the Act appeared to be clear that it expected the interests of commercial and passenger boats to be specifically represented.

The Committee noted that the way that the relevant Acts had been interpreted placed constraints on the appointment process that was not entirely helpful and should be reviewed.

It was also considered that the appointment process could be improved and the Committee requested a review of the appointment process and for a full report to be brought to a future meeting for consideration. A member suggested that this should include an appropriate process for casual vacancies as currently this was not available.

As the current two co-opted members of the Navigation Committee appointed to the Authority would cease their term on 20 March 2015, it was necessary

for the Committee to recommend the appointment of two co-opted members to the Authority on 20 March 2015 for an interim period until the Broads Authority meeting on 15 May 2015. The Committee was also asked to consider whether future appointment of the two co-opted members to the Authority should be for a term that is equal to the co-opted term of appointment, or whether this should be for a period of one year, to be recommended by the Navigation Committee each April and appointed by the Authority each May.

The Committee recommended:

- (i) by 10 votes to 1 to support the recommendations of the Selection Panel for the eight co-opted members to the Navigation Committee.
- (ii) that Michael Whitaker and Alan Goodchild be appointed as the two Co-opted Members to the Broads Authority
- (iii) that the term of appointment of the two co-opted members to the Broads Authority should be annual.
- (iv) That the Authority review the process for appointing members to the Navigation Committee.

4/8 Stakeholder Surveys

This report provided members with a summary of the outcome of the surveys of private boat owners (PBOs), hire boat operators (HBOs), visitors and residents that had recently been carried out for the Authority by Insight Track, a local market research company.

Members were informed that the survey work was carried out in September and October 2014 and that the findings of the surveys provided the Authority with a solid evidence base on the views, priorities and opinions of its customers. The survey results also gave strong indicators for the setting of future priorities. Dredging and mooring provision were considered to be a high priority across all audiences as was wildlife conservation and educating the next generation about the Broads.

Significantly, the survey results also showed that walking and bird watching were key leisure activities undertaken on the Broads.

Although the survey highlighted a number of positive outcomes for the Authority, perceptions of the Authority in the hire boat industry were significantly less positive than in the other audience groups. HBOs particularly felt unsupported and thought the toll represented poor value for money.

Further the survey demonstrated that support for the promotion of National Park status was stronger amongst both visitors and residents, compared to the 42% of HBOs and 52% of PBOs who supported this.

Members welcomed the presentation and complimented Hannah Edwards on the survey which they believed to be very informative and very understandable. The full survey report was available on the web site and was well-worth reading.

Members agreed that the survey demonstrated that walking, dredging, moorings and communication showed up as important factors. It was mentioned that valuable activities like walking and bird watching although free to the members of the public was costly to the Authority in maintaining footpaths and that therefore the Authority would be working together with partners like the Norfolk Access Forum to try and identify funding for this.

It also became apparent that more effective communication with stakeholders was needed, in particular with Hire Boat Operators and residents which should emphasise listening over publicising. In addition members believed that there was a need to have more effective communication with younger people and not focusing entirely on press releases. The Authority should adapt its style of communication to include social media and better Wi-Fi connections.

The officer responded that the main challenge for the future would be for the Authority to respond to the outcomes of the survey and that there clearly would be a need to consider how communication with all audience groups could be improved in order to keep them informed and involved in the work that the Authority does.

It was mentioned that while it was important that the Authority concentrated on what needs to be improved, it was equally important for them to recognise the positives and continued to provide a good service. In particular, the very high satisfaction with the visitor experience and equally high level of positive recommendations for others to visit were very good outcomes.

Members were in agreement that for this survey to be effective it would need to be repeated on a regular basis of about four to five years in order to give any actions taken time to establish themselves.

4/9 Powerboat Racing Annual Review

This report outlined the background to powerboat racing on Oulton Broad and the members' views were sought on the management of powerboat racing on Oulton Broad and the fixture list for the 2015 season.

Members were informed that the Formal Safety Assessment (FSA) identified powerboat racing on Oulton Broad as being a priority for more detailed consideration. The recommendations for powerboat racing included considering the closure of the Broad during racing events and ensuring that there is an adequate exclusion area and good buffer zone around the race circuit.

It was highlighted that the risk assessment had been reviewed and it was agreed the risk assessment should be amended to introduce an additional control measure relating to boats leaving the pits to join the race course.

As a result no further changes were considered necessary to the overall management plan for powerboat racing for the 2015 racing season.

Requested dates for the 2015 season were shown in Appendix 1 and members were made aware that, as long as the LOBMBC continued to provide safety patrolling cove, they would not need to contribute to the cost of the Broads Authority launch and ranger.

Members were satisfied to agree with the management of powerboat racing on Oulton Broad and the fixture list of the 2015 season however members noted the reduced numbers of spectators in recent years and discussed if there was scope for any additional promotion by the Authority in order to attract more visitors and funds to support this very exciting event

Members noted the report.

4/10 Paddy's Lane Boardwalk

Members received a report which set out the current situation in respect of Paddy's Lane boardwalk, which was identified as a low priority countryside asset as it does not fulfil a strategic need, or scores highly against the strategy's criteria for project prioritisation and was therefore identified for disposal in the Asset Management Plan.

However members of the Navigation Committee were keen to see the access retained and therefore agreed to the proposal that the site be brought into good condition using the current National Park Grant budget but thereafter be held as a Navigation asset and maintained using Navigation Income. A new lease would be negotiated with the landowners.

Members supported the approach proposed in the report.

4/11 Broads Authority Safety Management System External Audit

Members received a report which set out the findings from a recent external audit of the Authority's Safety Management System.

Members were reminded that as a Competent Harbour Authority, the Broads Authority was required to comply with the duties and responsibilities set out in the Port Marine Safety Code (PMSC).

Key points identified by the audit which were highlighted were that the Broads Authority complied with the PMSC and had adequate systems in place to manage safety and continued to discharge its statutory functions effectively and efficiently and to high standards.

The Audit recommendations were that further development was needed for competence standards, training records and incident data analysis/measuring performance.

Members supported these recommendations and welcomed the audit findings and the report.

4/12 Broadland Flood Alleviation Project: Planning Application for Crest Raising and Piling Removal Works in Compartments 5 & 6 (River Ant, River Thurne and Womack Water)

Members received a report which provided them with a summary of Broadland Environmental Services Ltd (BESLs) planning application proposals for crest raising and piling removal in Compartments 5 and 6 on the true left bank of the Rivers Ant and Bure and the true right bank of the River Thurne and Womack Water and the north bank of Womack Water.

The crest raising works would have no impact on navigation and apart from the former 24-hour mooring at Ludham Bridge none of the piling identified for removal in this application was used for formal or informal mooring.

It was highlighted that much of the piling in Womack Dyke was in poor condition and had been hazard marked accordingly so its removal would be welcomed.

The Senior Waterways and Recreation Officer therefore informed the Committee that the proposal presented the Authority with no concerns and would propose to raise no objections to the works set out in the planning application but to recommend that planning permission be granted for the works provided that the appropriate conditions are included.

Members raised some concern however that the particular stretch of bank at Ludham Bridge would be heavily congested with boats and although not permitted, it was highly likely that it would still be used for mooring causing bank erosion. The officer responded that this would have to be monitored if this were the case.

Members noted the report.

4/13 Boat Census 2014

Members received a report which summarised the results of the 2014 Boat Census and provided an overview of boat movements around 14 designated census points located at specific points round the Broads network.

Members were reminded that a boat census around the Broads had been undertaken by the Broads Authority every four years since 1986 and that the key findings for 2014 were that it was evident that there had been slight increase in boat movements within the Broads river system.

Whilst there had been a drop in the number of hired motor cruisers recorded, there had been an increase in hired out board dinghies and launches smaller non-powered craft such as canoes and row boats, whose usage has increased by over 60% in the last four years. It was mentioned how this might have safety implications and might need to be examined.

Also, the northern rivers showed a much higher percentage of vessels on the river, with 73% of traffic being recorded by the Northern River Census takers. Members regretted that the southern broads are not visited as well as the northern ones and believed this was due to poor facilities and that better promotion and infrastructure of the southern rivers was needed to encourage maybe a different kind of customer to visit the beautiful tranquillity of the southern broads.

The Senior Waterways and Recreation Officer clarified that the reason for visitors not crossing Breydon Water was not because of safety concerns but mainly because of time restrictions more applicable now due to shorter booking periods but that this year the Authority was looking at promoting boating in the southern rivers.

Some discussion followed on the decline in the impact of certain visitor attractions and members were pleased to hear that the Berney Arms Windmill was now going to be open again for the forthcoming season. The nearby Inn remained closed and it was hoped that this would be resolved as its associated moorings were felt to be in a very strategic location for shelter and convenience.

Members noted the report.

4/14 Navigation Income and Expenditure: 1 April 2014 – 30 Nov 2014

The Committee received a report which provided them with details of the actual navigation income and expenditure for the eight month period to 30 November 2014, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2015).

There had been some significant movements in the forecast outturn position for the year, which now suggested a deficit within the navigation budget for the year. With the latest amendments to forecast outturn, this would result in a navigation reserve balance of approximately £271,000 at the end of 2014/15 (before any year-end adjustments), which equated to 9.1% of net expenditure, slightly below the recommended level of 10%. The 2015/16 budget reflected this latest forecast outturn position and makes proposals which will restore the balance of the navigation reserve in 2015/16.

Also Head of Finance informed the Committee that The Authority is able to undertake the work for Turntide Jetty in March 2015.

The Head of Finance also provided a verbal update on the January position stating that the Authority remains on track to achieve its forecast position.

The Chairman briefed members on some changes to the format of the reports that had been discussed at the February FSAC meeting. From 1 April 2015 the monitor would incorporate the budgets for expenditure out of the ear marked reserves. This would hopefully reduce some of the variances that were created as the expenditure from the reserves was approved at the same time as the budget.

Members noted the report.

4/15 Construction, Maintenance and Environment Work Programme Progress Update

Members received a report which set out the progress made in the delivery of the 2014/15 Construction, Maintenance and Environment Section work programme. The Head of Construction, Maintenance and Environment confirmed that the Authority were still on target with the dredging and that timber for Turn Tide Jetty had been sourced in the UK, which had saved time.

Members were informed that currently Natural England (NE) is not permitting any works within the Hickling Nature Reserve. A small window of opportunity for works was opened in January and February 2015, but NE concerned about Prynnesium Algae and Copper levels in the interstitial water and had stopped further works. The Broads Authority would work on their preferred methodology and conduct testing to enable works to progress in the next open window, which was thought to be in or around October/ November 2015, when water temperatures were 8 degrees or falling.

The Director of Operations confirmed that Copper and Prynnesium Algae was found in the entire water system, with heavy metals being located in other broads and rivers, including Hoverton Great Broad, and not just in Hickling Broad. The Head of Construction, Maintenance and Environment added that grab dredging had the potential of fluidising sediment, especially in the shallow waters at the top end of Hickling, and this was what was causing NE

some concerns. The use of a silt curtain at Duck Broad was found to compound the sediment fluidisation issue and the methodology for dredging Hickling is being reviewed in light of information reviewed from NE.

A member expressed the hope that similarly diligent monitoring would be applied to the proposed dredging in the similarly designated Hoveton Great Broad.

Members noted the report.

4/16 Chief Executive's Report

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

As key issues the Chief Executive highlighted that the marketing brand for the area, the Broads National Park had its first outing at The Outdoor Adventure and Travel Show in London which was received very positively, in particular by young people.

The members were updated that the Secretary of State had confirmed that the levels of National Park Grant for 2015/16 would be in line with that previously announced, a 1.74% reduction, which was in line with the budget already approved by the Authority.

The Chief Executive informed members that the bid for £715,000 to the Department for Transport for the Wroxham/Hoveton to Horning Section of the Three Rivers Way Cycle Route had been successful and that the Authority had responded to the consultation issued by Network Rail.

In relation to the proposed Thorpe to Whitlingham ferry it was mentioned that attention needed to be paid to the safety aspects as this was a heavily navigated stretch of water.

Regarding the 'Eating Out' leaflet, concern was raised that the Authority seemed to work with one hire boat operator in particular and as a result of this the Chief Executive was advised by two members that the publication would not be distributed this year by a number of operators. To avoid the risk that the publication would be boycotted by other operators the Broads Hire Boat Federation would be offering advice and coordination in future.

After enquiring about the outcome of a speeding incidence in Horning members were informed that although this was a very difficult case the offender was successfully prosecuted and fined.

It was mentioned that following the decision by the Broads Authority to use the Broads National Park branding guidelines would be produced to help local companies make the best use of the opportunities provided.

In relation to the River Basin Plan Rory Sanderson from the Environment Agency explained to the members how they had modified some of their criteria around defining recreation and navigable waters, which appeared not to have any significant impacts on the way the issues on the rivers would be tackled under the Water Framework Directive.

The Head of Strategy and Projects assured the members that he had looked into this in great depth and did not believe there would be any implications for navigation. Director of Operations added that the only concern would be for transitional and coastal water bodies (TRAC) as the designated uses proposed by the EA would not be consistent with the Marine Management Organisation's designations.

Members however were not assured and said they would need more time to look into this matter with more detail. Members were particularly concerned at the possible impact on commercial vessels if the Broads were re-classified as being purely for recreational use and that this matter had not been brought to the Committee earlier.

As the deadline for the River Basin Management Plan consultation would be after the next Navigation Committee meeting, members asked that a response be drafted in consultation with the Chairman and Vice Chairman and it was suggested that their comments be reported to the Broads Authority meeting on the 20 March 2015 so that a formal response could be made. It was also requested that digital copies be circulated of the paper referred to by Mr Sanderson.

4/17 Current Issues

In relation to the waste disposal facilities at Ranworth, the Director of Operations reported that the Broads Authority was working in partnership with Broadland District Council who had offered to provide additional waste collections if they were required.

The Lead Member for the Broads Flood Alleviation Project updated the Committee on the very good progress in the last 12 months and the BESL representative outlined the procedures that they had been undertaking for the handover of the maintenance of piling to private riparian landowners.

4/18 Items for future discussion

There were no items for future discussion.

It being his final meeting, the Chairman paid tribute to the retiring members: Mr Ollier, Mr Greasley and Mr Betts and thanked the Secretary of State Members for their contribution to the Navigation Committee hitherto and in anticipation of them continuing to do so as to provide the very necessary continuity at a time of great change to the Committee's leadership and membership.

2/19 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 23 April 2015 at Yare House, 62-64 Thorpe Road, Norwich commencing at 1pm.

4/20 Exclusion of the Public

The Committee was asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information

4/21 Disposal of Geldeston Woodland

Members received a report which summarised the proposals submitted in the informal bid process in respect of the agreed disposal of the woodland at Geldeston as it was no longer required for any specific purpose.

Members were advised that The Authority had advertised the sale and invited bids to be submitted in an informal bid process taking into account the criteria set for disposal by the Broads Authority which was to include public access and maintenance of the woodland.

The Asset Officer presented the Committee with information regarding four bids received by the Authority, each demonstrating their long and short term goals. After careful consideration the Committee recommended when all the relevant issues were considered that the bid from the owner of the public house was preferred as most meeting both criteria and offering best value for money to the Authority. It was hoped that their expressed plans for a collaborative arrangement with local volunteers would succeed.

The meeting concluded at 4.50 pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 26 February 2015

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Mr K Allen		Member of the Broads Angling Strategy Group
Mr J Knight		Hire Boat Operator, Toll Payer, Member of Yacht Clubs
Mr A Goodchild	4/7 – 4/16	Toll Payer, Landowner, MD GMS, Chair BMF cm
Mr D A Broad	4/7 – 4/16	Toll Payer, Member of Great Yarmouth Port Consultative Committee
Mr P Greasley	4/7- 4/16	Toll Payer/Boat Operator/BHBF Committee
Mr P Dixon	4/7 – 4/16	As previous
Mr M Heron	4/7– 4/16	Toll Payer, Landowner, Member of British Rowing, Norwich RC, NBYC, Rec, Chair Whitlingham Boathouses
Mr P Ollier	4/7 – 4/16	Toll Payer, NSBA Committee member, RYA and various Broads sailing clubs
Mr M Whitaker	4/7 – 4/16	Toll payer, Hire Boat Operator, BHBF Chairman